



CITY OF MORGAN HILL

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PLANNING COMMISSION MEETING MINUTES

SPECIAL MEETING

MAY 29, 2001

PRESENT: Kennett, Lyle, McMahon, Mueller, Pinion, Ridner, Sullivan

ABSENT: None

LATE: None

STAFF: Community Development Director (CDD) Bischoff, Planning Manager (PM) Rowe and Minutes Clerk Johnson.

SPECIAL MEETING

Chair Kennett called the meeting to order at 7:03 p.m.

DECLARATION OF POSTING OF AGENDA

Minutes Clerk Johnson certified that the meeting's agenda was duly noticed and posted in accordance with Government Code Section 54954.2.

OPPORTUNITY FOR PUBLIC COMMENT

Chair Kennett opened the public hearing.

PM Rowe and CDD Bischoff acknowledged the hard work and service of the three retiring commissioners: Kennett, Pinion and Ridner. Other commissioners and the audience commended the three for their dedication.

There being no others present who wished to address the Commission, the public hearing was closed.

MINUTES:

APRIL 17, 2001 **COMMISSIONERS RIDNER/KENNETT MOTIONED TO APPROVE THE APRIL 17, 2001 MINUTES AS WRITTEN. THE MOTION PASSED BY THE FOLLOWING VOTE:“AYES”: KENNETT, LYLE, McMAHON, MUELLER, RIDNER; “NOES”: NONE; ABSTAIN: PINION, SULLIVAN.**

MAY 15, 2001 **COMMISSIONERS McMAHON/MUELLER MOTIONED TO APPROVE THE MAY 15, 2001 MINUTES AS WRITTEN.**

THE MOTION PASSED BY THE FOLLOWING VOTE: “AYES”: KENNETT, McMAHON, MUELLER, PINION, RIDNER; “NOES”: NONE: ABSTAIN: LYLE, SULLIVAN

OLD BUSINESS:

**1. GPA-98-02/
ZA-01-06: CITY
OF MH-GENERAL
PLAN UPDATE &
REZONINGS** This proposal involves a comprehensive update of the City’s general plan. The Update involves reorganization and revisions to all but the Housing element of the existing General Plan. The update also includes a series of General Plan land use designation changes and rezonings. A draft Master Environmental Impact Report (EIR) has been prepared to evaluate the potential environmental consequences of the proposed Update to the City’s General Plan and associated rezonings.

Chair Kennett reminded those in attendance that the time for public comment had passed and that further comment from the public would have to be agreed to by the Commissioners.

CDD Bischoff presented the staff report, stating the rezoning issues would be address first.

Dennis Fuller, 765 St. Timothy Place, rose in the audience to ask if the current, new petition which examines the concerns of those in the area of Juan Hernandez Drive, had been distributed to the Commissioners? [Yes] He also asked if the minutes of the May 15, 2001 had been distributed to all the Commissioners? [Yes]

At this time the Chair asked for an informal vote to ascertain if speakers would be heard during the meeting? Commissioners Mueller/Pinion favored hearing the arguments; all others were opposed to reopening the public hearing.

CDD Bischoff spoke on the aspects of the rezoning, noting there were technical, policy and action issues to be considered. He provided a brief recap of the process involved in formulating the Draft General Plan (DGP), including an overview of the previous two public hearings at which testimony from the public was received. CDD Bischoff also furnished information of items to be addressed at the evening’s meeting:

Map 1 - Condit Road- Industrial/Office Industrial properties. Commissioners Lyle, McMahon

and Sullivan had been part of the General Plan Task Force and were able to offer insight into the reasons for the designation of these properties, including lessening sound walls on Highway 101 transitioning of uses.. Following discussion, it was agreed that having policies in place to mitigate impacts on nearby residential areas which will strengthen PUD to SFR transitions and ensure City authority over uses in PUDs. Furthermore, an area just east of the Office industrial designation currently designated SFL was changed to SFM. **BY CONSENSUS, WITH KENNETT AND MUELLER DISSENTING, THE PROVISIONS REGARDING MAP ONE WERE ACCEPTED FOR RECOMMENDATION TO THE CITY COUNCIL.**

Map Two: Campus Industrial Properties (Juan Hernandez/Highway 101) CDD Bischoff reviewed the opposition to this proposal. Following discussion, the Commissioners suggested a recommendation to “split” the property, causing the northerly portion to be zoned SFM and having the southern portion remain Campus Industrial. **BY CONSENSUS, THE PROVISIONS REGARDING MAP TWO WERE ACCEPTED FOR RECOMMENDATION TO THE CITY COUNCIL WITH MUELLER AND PINION DISSENTING.**

Map Three: Proposed Urban Growth Boundary (UBG) Changes Commissioners renewed discussion of the three requests for individual properties to be included as well as the area south of Watsonville Road and east of Monterey Road (Map 1, DGP). Issues such as City services to the parcels, amounts of housing land available, and perceived landowner expectations were discussed. **THE THREE INDIVIDUAL PROPERTIES WERE DISCUSSED AND BY UNANIMOUS CONSENSUS REJECTED FOR CURRENT CONSIDERATION TO INCLUSION INTO THE UBG. BY UNANIMOUS CONSENSUS THE AREA SOUTH OF WATSONVILLE ROAD AND WEST OF MONTEREY ROAD (MAP 1, DGP) WAS ACCEPTED FOR RECOMMENDATION TO THE CITY COUNCIL.**

Map Four (Schilling Proposed change): CDD Bischoff reminded this matter had been addressed by Mr. Schilling at a previous hearing, with commissioners asking for additional information. Mr. Scott Schilling was present and requested to be heard. By informal vote with all Commissioners consenting, Mr. Schilling spoke to the Commission. He provided the rationale for the request, stating the clustering of the residences away from the railroad tracks would enhance improvements to the property. **BY UNANIMOUS CONSENSUS, THE COMMISSIONERS APPROVED RECOMMENDATION FOR CHANGE FROM MFL TO MFM ON THE SUBJECT PROPERTY.**

Map Five Madrone Crossing Project (Garcia Proposed change): Rocke Garcia was present to address the matter with the Commissioners, providing the rationale for the request. He explained the layout of the project, indicating the reduction of units and the desire to develop compatible progression in the feathering and blending of zoning areas. Following discussion, (and by indicating colors on the map), it was decided **BY UNANIMOUS CONSENT OF ALL COMMISSIONERS PRESENT, TO RECOMMEND TO THE CITY COUNCIL LANGUAGE WHICH WOULD PROVIDE FOR THE “DARK” AREA TO BE ZONED MFL WITH A SINGLE ROW OF SFL ALONG THE WESTERN EDGE OF**

THE MFL AREA.

CDD Bischoff reminded the Commissioners that Mrs. Virginia Acton had asked that five acres of a 20-acre parcel near City Hall be rezoned to Residential Estates. A neighbor of Mrs. Acton was present and approached the Commissioners indicating support of the proposal. CDD Bischoff reported that Staff has revisited the request and it appears that the constraints of Measure P prohibit the changing of zoning within the property and like areas. Commissioners requested the issue be referred to Legal Counsel for review, noting that the precision of the line drawn on the map was in question and that the line appeared to conflict with narrative in other documents; therefore a legal interpretation would be requested.

Commissioner Mueller asked that the property at the northeast corner of Hill and Dunn be considered for study, to ensure compatibility with surrounding areas. Commissioners, by consensus, agreed to change the designation of the area from SFL to Residential Estates .

Commissioners McMahon, Pinion and Ridner were excused at 9:40 p.m.

Specific policies were brought by Commissioners for discussion. Regarding parkland issues, the consultant for that portion of the DGP will be asked to attend the June 12 Commission meeting.

Changes to language of policies which were agreed to by those Commissioners present, are:

Addition of additional language in the population projections for 2020, noting this is not based on increases in the number of housing units, but the numbers of residents per household.

Page 3, 19a: addition of K - 8

Page 28, 7b multifamily (new) housing - not retroactive; clarification of figures requested.

Page 34, 12 f (deals with street and roadway medians) emphasis should be on use of "green" materials where ever possible

Page 36, 14a suggest expansion of Gateways into the City to include at least the train station

Page 39, 17c Since the City Council has accepted the Blue Ribbon Task Force on Health Care, there is a need to rapidly establish PUD zoning(s) for sites for hospitals.

Page 15 and 79 (deals with open space) Language to ensure clarity needed

Page 30 Need for clarification/definition for "dwelling type"

Page 38 Add into action 16.3: language dealing with energy, using an assumption of use of energy by City residents.

Page 38, policy 16 B: lacks mention of industrial and commercial - language to be added to handouts of 5/15, page 3

Page 103, action 7.c Add: where practical, address noise levels at source.

Page 29, (General Plan) Action 7C (enhance policy language) evaluate whether new density

(WITH THE MODIFICATIONS INDICATED THROUGH LISTED DISCUSSIONS). THE MOTION PASSED WITH THE UNANIMOUS CONSENT OF ALL COMMISSIONERS PRESENT AND McMAHON, PINION, AND RIDNER ABSENT.

In reviewing the resolution, COMMISSIONERS RESCINDED THE VOTE ON RESOLUTION NO.01-37 AND BY CONSENSUS VOTED TO ADOPT THE PLAN AS PRESENTED, AND WITH THE AMENDMENTS OF MAY 15 AND MAY 29, FOR FORWARDING TO THE CITY COUNCIL WHILE REQUESTING THE RESOLUTION (NO. 01-37) BE RETURNED TO THE COMMISSION JUNE 12, FOLLOWING NOTIFICATION TO ALL INTERESTED PARTIES OF THE INTENDED ACTION(S). THIS ACTION WAS AFFIRMED BY THE VOTE OF COMMISSIONERS KENNETT, LYLE, MUELLER, AND SULLIVAN, WITH MCMAHON, PINION AND RIDNER ABSENT.

**2. HOUSING TYPE DISTRI-
BUTION & TERM
FOR 2001-02 M.P.
COMPETITION
(FY 2003-04
BUILDING
ALLOTMENT)** **BY UNANIMOUS CONSENT OF ALL COMMISSIONERS PRESENT, THIS MATTER WAS POSTPONED DUE TO THE LACK OF INFORMATION NEEDED; TO BE CONSIDERED UPON RECEIPT OF DATA FROM THE STATE DEPARTMENT OF FINANCE.**

ANNOUNCEMENTS: Workshop June 6, 2001 at 7:00 p.m. with the City Council.

ADJOURNMENT: There being no further business, Chair Kennett adjourned the meeting at 10:47 p.m.

MINUTES RECORDED AND PREPARED BY:

JUDI H. JOHNSON
Minutes Clerk